

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

CASE NO.: 1:24-CV-00779

MAX MINDS, LLC,

Plaintiff,

v.

TRIANGLE EXPERIENCE GROUP, INC.,
ROBERT EDWARD CLARE AND JEFFREY
MASE,

Defendants.

**MOTION FOR EVIDENTIARY HEARING ON PLAINTIFF'S AMENDED MOTION
FOR PRELIMINARY INJUNCTION**

Plaintiff MAX MINDS, LLC by and through its undersigned counsel, pursuant to Southern District of Indiana Local Rule 7-5(c), hereby moves this Honorable Court for an order setting an evidentiary hearing on Plaintiff's Amended Motion For Preliminary Injunction (ECF 104) and as grounds therefore states as follows:

The Amended Motion for Preliminary Injunction was filed on November 25, 2024. (Docket Nos. 104 & 105). On January 31, 2025, TEG filed its Opposition to Max's Amended Motion for Preliminary Injunction. (Docket Nos. 124 & 125). Max filed its reply on February 21, 2025. (Docket No. 141). Other than TEG's motion for a sur-reply (ECF 147) which Max opposed (ECF 148), the motion is fully briefed and ready to be heard by this Court.

ARGUMENT

Indiana Southern District Local Rule 7-5(c) provides that “[a] party may request an evidentiary hearing on a motion ... by serving and filing a separate motion explaining why the hearing is necessary and estimating how long the court should allow for the hearing.”

An evidentiary hearing on the amended motion for preliminary injunction is requested. A hearing is necessary because of the complexity of the issues, the substantial amount of evidence filed in support of the parties’ positions, the parties’ different positions regarding the issues and the facts, and the parties’ disagreements on the law.

Max estimates that a hearing of **one to two days** will be necessary for witness testimony and argument. This estimate is based on the submissions in support of the motion. Max’s witnesses are: (1) Max’s CEO Brandon Fischer, (2) Max’s software engineer Robert Simon, and (3) Max’s Expert Robert Zeidman. TEG’s witnesses are: (1) TEG’s CEO Robert Clare, (2) TEG’s CFO Janna Clare, (3) TEG’s CTO Kevin Mullican, (4) TEG’s Expert Nick Ferrara, and a third-party witness (5) Jeffrey Nusraty.

Max respectfully requests that an in-person hearing in Indianapolis be set at the Court’s earliest convenience to hear and determine the amended motion for preliminary injunction.

Dated: March 3, 2025

Respectfully submitted,

/s/ J. Campbell Miller

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